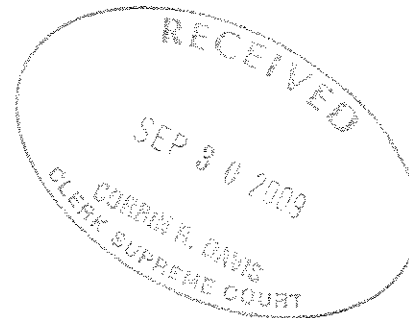


Lawrence Evans, #324535
Mound Correctional Facility
17601 Mound Road
Detroit, Michigan 48212

September 26, 2009

Supreme Court Clerk
P.O. Box 30052
Lansing, MI 48909



RE: ADM File No. 2009-11

Subject: Proposed Amendment of Rule 6.302 of the Michigan Court Rules

In Memory of Pearl Dora Evans
(7/9/51 - 3/16/00)

To Whom It May Concern,

I respectfully disagree with the proposed amendment of the Michigan Court Rule (MCR 6.302) that would require "All discussions regarding a defendant's plea must take place in open court and be placed on the record." I do not believe the amendment is (a) enforceable; (b) it perpetuates the subversion of a citizen's Sixth Amendment trial rights, and (c) places the economically challenged and/or disabled citizens - like this letter writer and his deceased wife - at the mercy of ethically and morally challenged Republican sponsored judges, prosecutors and prosecutors posing as "defense" attorneys.

On January 3, 2000, I called 911 to get help for my wife, Pearl, whom I had found on the floor of our apartment unconscious. My wife went to the hospital. I was arrested. On January 5, 2000, Pearl was sentenced to death by Judge Ward S. Hamlin of the 7th District Court, Van Buren County. That sentence was affirmed on February 10, 2000, by the Kalamazoo County Probate Court. Records will confirm Pearl was put to death on March 16, 2000. If I had not been arrested, held incommunicado from January 4, 2000 to January 12, 2000, Pearl might very well still be alive. And thanks to the magic powers implicit in *People v. Cobbs*, 443 Mich 276 (1993), which emulates the "Ring of Gyges" and transforms the Sixth Amendment into a Potemkin Village, I am in prison for an imaginary assault that resulted in an alleged killing that mysteriously mutated into a murder I did not commit.

I won't go into all the sordid details of what transpired from the date of my arrest on January 3, 2000, thru the date of "sentencing" on November 27, 2000. I can, however, state unequivocally that Michigan's "one court of justice" is liable for my wife's execution because of semantic engineering used to artfully engraft invisible authority to use cunning and deception in "plea bargaining" into MCR 6.302. The opinion in "*Cobbs*" states at page 276 and 283 "At the request of a party...the judge may state on the record the length of the sentence that on the basis of the information then available to the judge, appears to be appropriate for the charged offense." At page 284 of the opinion it states, "Coercion is avoided when a judge does not initiate a discussion of

the sentence, and when a judge does not speculate on the sentencing consequences of future procedural contingencies.

For ten years I have been trying to get someone to realize that what happened to my wife and I was unconscionable and an abuse of power of the nth degree. Because of MCR 6.302, no one has dared listen. Few citizens realize a case called People v. Cobbs exists. Few citizens know "Cobbs" should be viewed as a policy memorandum titled, "How to succeed in plea bargaining without really lying.", or, "Rope-a-dope conviction protocols using semantics for Dummies." "At the request of a party..." literally means THE PROSECUTION is authorized to go to a judge behind a recalcitrant defendant's back and have the judge (a) conduct a bench trial in chambers without the defendant present and then (b) hold a hearing to announce the verdict and surprise the defendant with what the sentence will be. Star Chamber Courts used the same tactics. With the invention of MCR 6.302 the Sixth Amendment is now a Potemkin Village of trial rights and where the Star Chamber rules supreme.

I did not assault my wife. I did not kill my wife. I did not murder my wife. I tried to save my wife. I did not know making a 911 call for help would get Pearl killed. But it did. Although we were both physically and mentally disabled as the result of slamming face first at 40 miles per hour into a windshield in an auto accident in Augusta, GA, in 1992, we survived. Pearl even survived a botched hysterectomy in 1999 that nearly killed her. But no one bothered to check our past medical histories. THAT would not allow the State or the County to reap the "Cash for Convicts" benefits of 42 U.S.C. § 13704 et seq., cleverly labeled "Truth in Sentencing."

The generation that made the nation thought secrecy in government one of the instruments of Old World tyranny and committed itself to the principle that a democracy cannot function unless the people are permitted to know **what their government is up to**. MCR 6.302, by design, however, functions as a retro-active hold-harmless agreement, a "constructive pardon" or "constructive amnesty" for government actors. MCR 6.302 serves as a "Ring of Gyges" that makes invisible those government employees who transgressed civil rights, and yes, killed my wife. To vindicate rights, procedures have been invented that are much like the rock Sisyphus is required to push up the hill. These "rocks," however, are designed to roll over you on their way back down the hill, permanently silencing you so the "Ring of Gyges" remains viable.

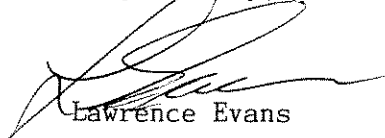
I am here, in prison, because I couldn't help myself. I could not afford a "fare" trial and I knew a "fair" trial in a Republican dominated court system was not an option. I had no lawyer. Were it not for the coercive effect of the judges involvement I might not have confirmed on October 31 that the trial had been rigged and not have caved while in the middle of a temporal lobe seizure to the piracy of trial rights by William C. Buhl on November 2, 2000.

It is curious that ten years after the sham processes my wife and I were afforded, that someone now wants the rules changed; wants the sham "discussions" recorded. In our case, the transcript of the court record prepared by Sandra E. Wyant, CSR-RPR 2096, and provided to appellate counsel, had a severe case of amnesia in some spots and demonstrated a vivid imagination at others. The most heinous "amnesia" was the omission of the little three letter word "not" at page 5, line 17, of the so-called "Final Pre-trial Conference," a.k.a., "waterboarding" session, which changed the entire meaning of an entire paragraph


and effectively sabotaged an honest appellate counsel's efforts to correct an horrific injustice and expose the corruption in Van Buren County. Although court reporters and stenographers are bound to make verbatim records of the proceedings, and a judge should not in any way interfere with or cause the alteration of the true record as reported by the court reporter, nor should the court reporter obey the order of the judge to go "off record," those rules are merely an inconvenience to those intent on keeping a conviction so the money can be kept and the body can be used to gerrymander voting districts. Such is what our "system" has become. Citizens are not "arrested" anymore. They are "harvested." The so-called non-binding sentence recommendation is not really the "sentence" contemplated by a defendant. Plea "negotiations" about a sentence are merely a ruse. The "minimum" sentence is only a parole eligibility date; there is no right to parole. Politicians determine the "term of imprisonment" based upon what "free money" is available. Contrary to popular belief, there is no difference between a plea "bargain" sentence and a sentence after a full-blown trial. We need trial back.

I respectfully recommend MCR 6.302 be buried with my wife. If her remains can be located. That would enable the "PEOPLE" to know what their government has been up to.

Respectfully,



Lawrence Evans

P.S. The attached "Alcohol Documentation & Report" and the sketch of our former home are but two examples of information Stewart, Bedford, Hamlin and Buhl knew or should have known existed, but either chose to withhold and ignore it, or were under orders to do so. Now, because of 6.302's built-in invidious discriminatory animus implicit in procedural cover-up chicanery, it is now presumed not to exist and is worthless. This critical information, had it not been deliberately ignored in order to get a cash-generating conviction for the County by any means possible, and contribute to an election success for Republican puppet Buhl, would have indicated Pearl had experienced a medical crisis exacerbated by the combination of prescription drugs and alcohol and either kept Pearl alive or, worst case, would have allowed her to die with dignity with her husband by her bedside. Greed, more greed and judgeships dictated Pearl be kept alive for 73 merciless days until it was convenient and profitable to kill her, frame me, and in the process destroy my mind and what if anything remained of the honesty and integrity of Michigan courts. It should come as no surprise that the record actually does reflect the words I believed indicated a jury had been "bought." And, "Surprise, Surprise!", ten years later the MCOA reversed a case for the very same jury tampering shenanigans perpetrated by the very same judge. Ain't that a shame? (See People v. Farley, No. 278667). 

BRONSON METHODIST HOSPITAL
Kalamazoo Michigan

ALCOHOL DOCUMENTATION & REPORT

0008945375 F ER
B00003-01255
EVANS, PEARL DORA
TSEC, PHYSICIANS
07/09/1951 48Y
ER
MHL

The Laboratory at Bronson Methodist Hospital is authorized to accept human specimens for testing by the United States Federal Government Department of Health and Human Services. Registration #23D-0650932 (CLIA). The Laboratory is also enrolled in proficiency testing with, accredited by and inspected by the College of American Pathologists, Lab ID 17394-01. Procedures for alcohol analysis follow the guidelines of the National Committee for Clinical Laboratory Standards, as well as the administrative rules provided by the Michigan State Police.

BLOOD COLLECTION

1. This patient has been properly identified by me.
2. I have cleansed the draw site without the use of alcohol.
3. I have drawn the blood from the R Femoral Artery (site) according to our standard blood alcohol collection procedure.
4. I have labeled the specimen according to our Specimen Labeling Policy.
5. I have secured the specimen in a locked tamper evident container, recorded the seal numbers below, and sent the container directly to the Laboratory.

LOCK/SEAL # 796349 # 797517

My signature below certifies that all of the steps for blood collection were carried out as specified above.

1935 01/03/2000
Date and Time

Melissa Runyon
Signature and Department

COMMENTS: Sterile Draw Bedline used

SPECIMEN ANALYSIS

6. I obtained the specimen from the locked tamper evident container. The container was locked and there was no evidence of tampering. I kept the sample under my direct control until analysis was completed.
7. I verified the correct identification of the sample by comparing the labeling of the specimen to the information on this form. There was no discrepancy.
8. I performed the analysis following our approved procedure for plasma ethanol.
9. Standard and quality control materials were tested at the same time as the specimen. I have reviewed these results and verified that they meet our requirements.
10. The results of the analysis I performed on this specimen appear below.

RESULTS: 0.11 % W/V (g/dl) ETHANOL

My signature below certifies that all of the steps for specimen analysis were carried out as specified above.

1/3/2000 2040
Date and Time

Tall [Signature] MD (ASCP)
Signature and Department

COMMENTS: _____

Apartments on Bottom Floor

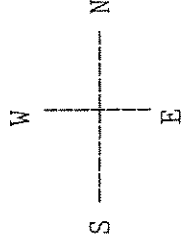
- (1) Evans
- (2) Ramsey
- (3) Marion

Apartment Top F.

- (1) Bacon
- (see overlay)

Alpha Index/Timeline

- (A) Pearl at about 1415 hours
- (B) Pearl at about 1535 hours
- (C) Where I placed Pearl at about 1545 hrs.
- (D) Pearl at about 1730 hours
- (E) Pearl at about 1745 hours.
- (NOTE: Ms. Evans was stone deaf in her left ear.)



(Note: Pearl's BAL was drawn @ 1935; at 2040 results were 0.11; Pearl was taking prescription medications; this information not reported by pathologist or prosecution.)

DRIVEWAY

(N. Phelps St., 40 feet)

